

For Clerk's Office Use

Judge <b>C</b>	Recd Date	Grv.
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For use by inmates in filing a complaint under **CIVIL RIGHTS ACT, 42 USC §1983**INMATE NAME: JAMES DION PALMERPRISONER NO.: 301700-DCC 406452-NCJPLACE OF CONFINEMENT: NORFOLK CITY JAIL (NCJ)CLERK'S OFFICE U.S. DIST. COURT  
AT ROANOKE, VA  
FILEDIN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

10/17/2016

JULIA C. DUDLEY, CLERK  
BY: S. Taylor  
DEPUTY CLERKJAMES DION PALMER  
Enter Full Name

Plaintiff

vs.

716cv00488

CIVIL ACTION NO. \_\_\_\_\_

BERRY KILGORE (ATTORNEY GENERAL FOR VIRGINIA)JOSE APONTE (ASSISTANT COMMONWEALTH ATTORNEY FOR HENRICO)  
Enter Full Name(s) Defendant(s) ROBERT MCCABE (NORFOLK SHERIFF)

A. Have you begun other actions in state or federal court dealing with the same facts involved in this action or otherwise relating to your imprisonment?

X Yes \_\_\_\_\_ No

B. If your answer to A is Yes, describe the action in the space below.

1. Parties to the Action: ATTORNEY GENERAL OF VIRGINIA  
DCC DIRECTOR AND NORFOLK SHERIFF2. Court: SUPREME COURT OF VIRGINIA3. Docket No.: # 1514134. Judge: UNKNOWN5. Disposition: UNTIMELY/REFUSE

(For example, is the case still pending? If not, what was the ruling? Was the case appealed?)

C. Have you filed any grievances regarding the facts of your complaint?

Yes \_\_\_\_\_ No X

1. If your answer is Yes, complete the enclosed verified statement, indicating the result. Please attach evidence of your exhaustion of all available grievance procedures.

2. If your answer is No, indicate the reason for failure to exhaust on the verified statement. You may be required to exhaust your claims through any applicable grievance procedures. Your complaint may be dismissed if you fail to exhaust all avenues of the grievance process in a timely fashion.

- D. Statement of Claim - State here briefly the facts of your case. Describe what action(s) each defendant took in violation of your constitutional rights. Include also the names of other persons involved, dates and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of different claims, number and set forth each claim in a separate paragraph. Use as much space as needed. You may attach extra paper if necessary.

Claim #1 - Supporting Facts - Tell your story briefly without citing cases or law. ~~DUE PROCESS~~

A SUBSTITUTE JUDGE <sup>ILLEGALLY</sup> CONVICTED JAMES DION PALMER  
OF A FELONY FOR JUDGE L.A. HARRIS (CODE OF VIRGINIA 16.1-69.9)

Claim #2 - Supporting Facts - Tell your story briefly without citing cases or law.

I NEVER HAD SEX WITH THE ACCUSER. I NEVER SEXUALLY  
PENETRATED THE ACCUSER.

Claim #3 - Supporting Facts - Tell your story briefly without citing cases or law.

NORFOLK CITY JAIL IS TRYING TO RAISE MY CHOLESTROL  
LEVELS BY SERVING GREASY/OILY FOODS. I EAT  
ALOT OF FOODS THAT LOWER CHOLESTROL LEVEL WHEN I'M OUT  
OF JAIL.

- E. State what relief you seek from the Court. Make no legal arguments, cite no cases or statutes.

WRIT OF ACTUAL INNOCENCE, COMPENSATION FOR  
SENTENCE (TIME), AND NAME REMOVED FROM NATIONAL & STATE (VIRGINIA)  
SEX OFFENDER REGISTRY. I WANT TO BE PLACED ON LOW CHOLESTROL  
DIET.

SIGNED THIS 6 DAY OF OCTOBER, 2016.

James D. Palmer  
(Signature of Each Plaintiff)

**VERIFICATION:**

I, JAMES DION PALMER, state that I am the plaintiff in this action and I know the content of the above complaint; that it is true of my own knowledge, except as to those matters that are stated to be based on information and belief, and as to those matters, I believe them to be true. I further state that I believe the factual assertions are sufficient to support a claim of violation of constitutional rights. Further, I verify that I am aware of the provisions set forth in 28 USC §1915 that prohibit an inmate from filing a civil action or appeal, if the prisoner has, three or more occasions, while incarcerated, brought an action or appeal in federal court that are dismissed on the grounds that it was frivolous, malicious or failed to state a claim upon which relief may be granted, unless the prisoner is in imminent danger of serious physical injury. I understand that if this complaint is dismissed on any of the above grounds, I may be prohibited from filing any future actions without the pre-payment of filing fees.

I declare under penalty of perjury the foregoing to be true and correct.

DATED: 10/6/2016 SIGNED: James D. Palmer

## CLAIM #1 SUPPORTING FACTS

PEOPLE WHO WITNESSED A SUBSTITUTE JUDGE  
ILLEGALLY CONVICT JAMES DION PALMER

1. MR. WILEY P. JONES JR (DOCTOR BROTHER)
2. MRS. EVANGELINE DAVIS (TODD'S SISTER) ?
3. DR. DONALD E TAYLOR, DEAN OF SCIENCE  
NORFOLK STATE UNIVERSITY
4. MS. ANDREA LONG, DEFENSE ATTORNEY
5. MR. JOSE PRINTE, HENRICO PROSECUTOR
6. ACCUSED (ALLEGED VICTIM)

HENRICO COUNTY CIRCUIT COURT TRANSCRIPT  
TAL TRANSCRIPT ADDRESSED THE SUBSTITUTE  
JUDGE ("TIDY") AS "THE COURT" DURING  
THE TRIAL AND I BELIEVE JUDGE  
L.A. HARRIS AS "JUDGE HARRIS" DURING  
SENTENCING.

ORI: VA 0430153

CCN: 087CR0000 491200

DCN: Y136297

THE CONVICTION OFFER